

Todd M. Friedman, Esq. (216752)
Law Offices of Todd M. Friedman, P.C.
324 S. Beverly Dr., #725
Beverly Hills, CA 90212
Phone: (877) 206-4741
Fax: (866) 633-0228
tfriedman@AttorneysForConsumers.com
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

NOW COME THE PARTIES by and through their attorneys to respectfully move this Honorable Court to dismiss this matter with prejudice as to the named Plaintiff, and without prejudice as to the Putative Class alleged in the complaint, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Each party shall bear their own costs and attorneys' fees. A proposed order has been concurrently submitted to this Court.

The notice and approval requirements of Federal Rule of Civil Procedure 23(e) are inapplicable to the parties' settlement and dismissal of this putative class action because this action has not been certified as a class.¹

¹ Federal Rule of Civil Procedure 23(e) states “[t]he claims, issues or defenses of a certified class may be settled, voluntarily dismissed, or compromised only with the Court’s approval.

1 The Parties agree that this Court can proceed to dismiss this Action entirely
2 with prejudice as to the Named Plaintiff and without prejudice as to the Putative
3 Class alleged in the complaint.

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5 Respectfully submitted this 16th day of November, 2015

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7 By: s/Todd M. Friedman, Esq.
8 TODD M. FRIEDMAN
9 Attorney for Plaintiffs

10 By: s/Marcos D. Sasso, Esq.
11 MARCOS D. SASSO
12 Attorney for Defendants

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16 **Signature Certification**

17 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative
18 Policies and Procedures Manual, I hereby certify that the content of this document
19 is acceptable to Marcos D. Sasso, counsel for Defendant, and that I have obtained
20 Mr. Sasso's authorization to affix his electronic signature to this document.

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24 By: s/Todd M. Friedman, Esq.
25 TODD M. FRIEDMAN
26 Attorney for Plaintiffs

1 Filed electronically on this 16th day of November, 2015, with:

2 United States District Court CM/ECF system

3 Notification sent electronically via the Court's ECF system to:

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5 Honorable William Q. Hayes
6 United States District Court
7 Central District of California

8 Marcos D. Sasso
9 Stroock & Stroock & Lavan, LLP

10 This 16th day of November, 2015

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12 s/Todd M. Friedman, Esq.
13 TODD M. FRIEDMAN

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